

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7730**

**BILL NUMBER:** SB 345

**NOTE PREPARED:** Jan 9, 2003

**BILL AMENDED:**

**SUBJECT:** Reckless Homicide.

**FIRST AUTHOR:** Sen. Kenley

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill increases the penalty for reckless homicide from a Class C felony to a Class B felony if the killing is the result of the reckless operation of a vehicle.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** Between FY 1997 and 2000, an average of 35 people a year were committed to a Department of Correction (DOC) facility for reckless homicide, a Class C felony. There are no data available to indicate how many of these offenses were committed as the result of reckless operation of a vehicle.

Assuming that all things remain equal except that a third of the offenders who would have been committed to a Department of Correction facility for the Class C felony instead qualify under the bill for the Class B felony because the death resulted from reckless operation of a vehicle and that these offenders would have a later date of release, the number of beds needed would increase. Based on the commitment data reported by the Department of Corrections, the effective date of July 1, 2003, and the assumptions under this example, an additional 18 beds would be needed for Department of Correction facilities by 2005.

A Class B felony is punishable by a prison term ranging from 6 to 20 years depending upon mitigating and aggravating circumstances. The average expenditure to house an adult offender was \$25,087 in FY 2001. Individual facility expenditures ranged from \$18,520 to \$54,465. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. The average length of stay in DOC facilities for all Class B felony offenders is approximately 3.7 years and for all Class

C felony offenders is approximately two years.

**Explanation of State Revenues:** No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class C or B felonies.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** No additional revenues would be expected since the court fees for Class C and Class B are both \$120.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs Association, Department of Correction.

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